

Present: Martinelly, Canonico, Murphy, Daly, Roache, Akerblom, Henderson, Ciongoli,
Carnes
Kennedy (Attorney) –
Cranmer (Engineer) –
Absent: --

All saluted the flag, and the Presiding Officer's Statement was read

Minutes:

A motion was made by Ms. Canonico, seconded by Mr. Daly to adopt the minutes of the October 2, 2019. All approved. Abstained: Martinelly, Carnes

Oath of Office:
Mr. Carnes

Planning Board Rep: none

Zoning Board Business: none

Mr. Carnes recused himself as Zoning Officer, since Cuties was under Violation for the proposed sign.

Unfinished Business:

Felicia A. Russell:
d/b/a Cuties
703 Broad St
Bl: 40, Lot: 22

Bulk variance for additional signage

Felicia B Russell, Esq represented the applicant Felicia A Russell (daughter) owner of Cuties Boutique.

Mr. Kennedy explained to the board that the balance of the service for Cuties was accepted and the board has jurisdiction to hear this application.

Mr. Kennedy marked the following into evidence:

- A-1: Zoning Permit Application: dated 4/25/2019
- A-2: Zoning Board Application for Hearing – dated 10/28/2019
- A-3: Series of photos of subject property

Mr. David Cranmer, Zoning Officer was sworn.

Ms. Felicia Russell, Esq. represented the owner of Cuties Boutique

Ms. Felicia Russell, owner of Cuties was sworn. She testified that she has been the owner of Cuties Boutique for 2 years. She explained that she is seeking permission to have 3 façade signs, where is permitted. Ms. Russell explained that the front of the building has 1 sign that goes around the front and sides of the building. When motorists drive by the front façade sign is not visible since it is so close the sidewalk. The applicant needs the visibility for the north and south bound traffic, they have gotten numerous calls asking where the store is. The sign is currently up and it does have back lit lighting at night, which is very subtle on the white sign.

Mr. Kennedy asked the size of the front sign, Mr. Cranmer explained that this tenant space was previously Quickie Print, and they erected the signs on the yellow canopy, the tenant prior to Cuties changed the canopy from yellow to white, and now Cuties has their name or logo on all 3 sides. Mr. Cranmer doesn't know if variance relief was granted to Quick Print since they have been there a very long time, and he would suspect that the canopies may be there by virtue of a variance, and lawfully exist. The signs in question would be the signs on the side pieces of the canopy. In 94-8.34 – permits 1 façade sign per use/tenant space and not be more than 10% the area of the façade. He feels that the signs are below the 10% threshold, and the sizes would be ok. The applicant is here to request bulk variances relief from 94-8.34 to permit 3 canopy façade sign where 1 is permitted.

Board comments:

All board members agreed that they need the visibility, a tasteful sign.

A motion was made by Ms. Canonico, seconded by Mr. Daly to open the meeting to the public. All approved.

No comments/questions

A motion was made by Ms. Canonico, seconded by Mr. Daly to close the meeting to the public. All approved.

Mr. Carnes stated that this application satisfies the violation.

A motion was made by Ms. Canonico, seconded by Mr. Roache to approve the application of Cuties Boutique for variance relief from 94-834L-1 where 1 façade sign is permitted and to allow 3 awning signs, as requested, allowing 1 forward facing sign and 2 side signs.

Roll Call:

Affirmative: Martinelly, Canonico, Murphy, Daly, Roache, Akerblom, Henderson

Negative: None

Resolution 12/4/2019.....

New Business:

Martelli Development Group:

942 Broad St
Bl: 30, Lot: 6

Completeness Hearing

Use Variance – Only

Mr. Kennedy announced that this is a bifurcated application – if the Use Variance is granted then the applicant would have to go through site plan approval.

Mr. David Cranmer, Zoning Officer/Board Engineer was sworn.

Mr. Bernard Reilly, Esq for the applicant Martelli Development Group LLC

Completeness Hearing:

Mr. Cranmer indicated that he has 3 reviews for this application
July 29, 2019
October 11, 2019
November 5, 2019

Review of November 5, 2019 Completeness

- A.2:** Ownership Disclosure Statement – previous application states Salvatore J Martelli 99% ownership interest. Mr. Reilly stated that remains the same
- A-4:** Tax Certification – 11/1/2019 Tax Certification
- A-8 & 9:** Public Notice – Mr. Kennedy confirmed received
- A-11:** Written request for waivers & description – submitted Narrative – testimony will be Provided
- A-12:** Supplied with Public Notice
- D-1:** Listing of all permits & approval – outside agency – Freshwater Wetlands of Interpretation – will apply if use is approved.
- D-5:** Traffic Impact Statement – will supply complete – requesting submission waiver at this Time.

Mr. Cranmer stated that without the Traffic Impact Study is required and has to be submitted in order to be deemed complete or a submission waiver must be granted. Mr. Cranmer stated that if the board were to deem the application complete they would have to grant the submission waiver for the Traffic Impact Statement, and the report would be submitted at a future date. Mr. Cranmer stated that what was submitted 11/5/2019 by the Traffic Engineer was a 1 page document that is substantially meaningless it hold no information.

Mr. Reilly stated that it was not their intent to question the Traffic Engineer tonight, only the owner officials, site plan engineer, and the architect. They would carry the Traffic Engineer & Planner to a future meeting. The applicant will conduct the Traffic Report and provide for the next meeting scheduled for. They would like to get the process started.

Mr. Carnes feels that it is not fair to the public or board to ask them to refer to the Traffic Report for completeness at this time, the information gives no additional information. Mr. Reilly said that they need new traffic counts, and they will do it. He is now asking to move forward with his witnesses tonight.

Mr. Murphy stated as long as they supply the proper Traffic Report at the next hearing, he feels since everyone is here tonight, the hearing should proceed.

Ms. Canonico also feels that if the Traffic Report is provided next time, she would have no issues proceeding tonight. The Report should be submitted in ample time for the public to review. Mr. Cranmer suggested 30 days prior to the next meeting. Mr. Reilly said that January would be reasonable.

Ms. Martinelly agrees with board members, and the public is here.

Mr. Kennedy said that someone would have to make a motion to deem the application complete, subject to the submission waivers, and if the motion passes, we would proceed. Mr. Reilly stated that the applicant will accept the 30 day condition before the next meeting. If they do not have the report ready the application would not be heard and extend the time frame.

Mr. Cranmer suggested that the motion would be to grant the submission waiver for Checklist item: D 5 – Traffic Impact Statement, as indicated in Cranmer Review letter 11/5/2019 with a 30 day submission to Mr. Cranmer to which the matter will be scheduled.

A motion was made by Ms. Canonico, seconded by Mr. Carnes to open the meeting to the public on the completeness items only. All approved.

Mr. Joe Byrnes 81 Thornebrook Drive, was sworn. He stated that he would not like to see the application proceed tonight due to the incompleteness of the application.

Ms. Martinelly asked the public if they want to come back in January and there was a positive out pour.

A motion was made by Mr. Murphy, seconded by Ms. Canonico to close the meeting for public comment on the Completeness portion. All approved.

Mr. Kennedy stated that the board must decide whether to deem the application complete or not. Ms. Martinelly pointed out that the Engineer was in favor of waiting until everything was on file with the board before moving forward.

Mr. Cranmer stated that if the board members feel that they can listen to the testimony and give it the credibility that it deserves without knowledge of what the traffic impacts may be, if it doesn't change the way you feel when you listen the owner, the site engineer, perhaps a submission waiver would be reasonable. If you would rather understand "in general" what the impacts are, then he would suggest you wait. The literal interpretation of the Checklist is that it has to be submitted in order for an application to be heard.

Mr. Carnes pointed out that the application was submitted in June, and it's November and its not complete its 120 days, he wants to see.

Ms. Ciongoli feels that out of respect for the public, it should be complete, but people are here.

Ms. Canonico indicated that the public will still get to question a witness at the end.

Mr. Carnes feels that the Traffic Study is an important part of the application.

Ms. Akerblom said that the Traffic Study should have come in with the original application, and it's a big part of the application, its not complete, and we should not hear it.

Mr. Roache agreed.

Mr. Daly said that any questions would be deferred to next month when the traffic expert is here.

Mr. Reilly said he didn't know until 10/14/2019 that they needed the report, and it was too late to add in new data.

Mr. Kennedy asked for a motion to deem the application complete/or incomplete if approved we move on.

Mr. Daly stated that traffic was a big factor, if the Traffic Study was here, we wouldn't even be talking about it tonight. Mr. Carnes agrees and he would agree with the 30 day submission requirement.

Ms. Martinelly asked to poll the board.

Mr. Roache stated move forward and traffic must be here 30 days prior to next meeting

Mr. Murphy feels that the board should move forward and have the Traffic Report be here for January. Mr. Reilly stated that the report will be in by December 8th for the January 8th meeting, if they miss that date, the report will be for February 8th with a March hearing date.

A motion was made by Mr. Carnes, seconded by Mr. Roache to grant the waiver of submission of the Traffic Report with the condition that the report be in by December 8, 2019 for Martelli Developers.

Roll Call:

***Affirmative: Martinelly, Canonico, Murphy, Daly, Roache,
Henderson***

Negative: Akerblom

Use Variance Hearing:

Mr. Kennedy announced that he has reviewed the service in this matter and finds it to be adequate and the board has jurisdiction to hear this matter.

Mr. Kennedy marked the following into evidence:

- A-1: Application package for Hearing dated 6/24/2019
- A-2: Proposed Use Variance, prepared by Marc Leber, PEPP, dated 6/6/2019
- A-3: Architectural Drawing, prepared by Michael Monroe, 12/16/2016
- A-4: Survey -prepared by Charles Surmonte – 1 sheet 9/279/2016
- A-5: Traffic – Trip Generation Rates received 11/4/2019
- A-6: Cranmer Engineering Review letter – 11/5/2019 – Completeness
- A-7: Cranmer Engineering Review letter – 10/11/2019
- A-8: Narrative – Bernard Reilly – 10/24/2019
- A-9: Review Letter Cranmer Engineering Zoning Review – 5/20/2019
- A-10: Review Letter Cranmer Engineering Incomplete letter (fees) 7/29/2019

Mr. Kennedy asked Mr. Reilly if Mr. Lynn was still the owner of the property and the applicant is Martelli Development Group LLC, Mr. Reilly said yes that is correct.

Mr. Kennedy asked if there were any attorney's in the audience representing any formal objectors? There were none.

Mr. Reilly listed his potential witnesses, for possible conflicts.

Mr. Michael Daily, VP Martelli Developers LLC

Mr. Salvatore Martelli, might testify

Mr. Michael Monroe, Architect

Mr. Marc Leber, Engineer

Mr. John Jarr, Traffic Engineer

Ms. Christine Coffone, Planner

Mr. Bernard Rielly, Esq made an opening statement.

- 3.4 acres off Rt. 35
- Located in an transition area, included in the Thornebrook area but not developed
- Single family homes not feasible for development
- Cluster development could hold 3 homes
- Resolution of denial indicated that it is not feasible for commercial use
- Proposal of 15 town house development will be appropriate and provide 3 units of affordable housing
- Development will not have an adverse impact on the surrounding areas as a residential town house development
- Prepared to adjust the plan as per any comments from the public
- At the conclusion of the hearings the board will be happy with this development.

Mr. Michael Dailey, President of Martelli Development Group LLC, 716 Newman Spring Road, Lincroft NJ was sworn. He has been employed by Martelli Developers for 15 years. Described the developments and office complexes in the area that he has overseen, including the development of Fort Monmouth (Sun Eagles Golf Course) and a development of 3,000 q. ft .sub-division in Oceanport and a 8 unit mixed use building in Oceanport. Mr. Dailey said that if this project was approved he would be the project manager.

Mr. Daly stated that these units would start around \$525,000.00 for these single family homes. They will not be any designation for senior citizens, with 3 COAH units, but if required by the board they would consider it. The units are for sale, but the 3 COAH units may be rentals.

A motion was made by Mr. Carnes, seconded by Ms. Canonico to open the meeting to the public. All approved.

Mr. Joe Byrnes, was previously sworn. Asked again if the homes would start @ \$525,000.00 with rental units? Mr. Reilly explained that only the COAH units would be proposed as rentals, under the COAH units the Borough would get “credit of a unit & ½ for the rental vs the for sale units”. If the Borough would rather have them “for sale” the applicant would abide by the request, or if they are rentals they would be under an appropriate income level. The applicant has not made a decision as of yet.

Mary Glauber, White Street, 153 White St., was sworn. She asked about the HOA Rules & Regulations for both the for sale units and the rental units. Mr. Reilly indicated there will be Rules & Regulations for all of the units both sale/rental units. This application is only for “Use” if approved they will return for site plan approval with a more depth information.

Mr. Tom Neff, 23 Marc Ct., asked, why condo’s and not single- family homes. There is adequate room for 2-3 homes, asked why the developer cannot build single family vs condos. Mr. Daley explained said they did look at the property, 3 homes would not be marketable for Rt 35. The proposed if the best use for the property.

Mr. Neil Groom, 286 Sycamore Ave, was sworn, asked if it is a necessity to have the COAH units? Mr. Cranmer stated that the Borough has an approved Affordable Housing Plan, Fare Share Housing Element of the Master Plan, approved by the Court. The Borough has met their obligation, but as part of the approved plan the Borough has adopted a mandatory set aside Municipality wide. This means any residential development more than 5 units has to provide a 20% set aside. We may not need the units to satisfy our Cycle 3 obligation these 3 units will go against our “unmet need”, the Cycle 1 & Cycle 2 obligation, which is around 700. Zoning overlays have been developed with reasonable opportunities for the creation of affordable housing.

Mr. Groom made his comments on allowing an incomplete application to go forward, since it will one way or another it will impact the public as far as traffic. Allowing the board to move forward without a Traffic Study blunts the ability of the public to make comments on traffic because they don't have the information up front. Board members time is important, no one wants to waste any ones time. The onis is not on the board, they professional are here on the applicant and if their time is not being well used it is because the applicant didn't complete the application not because we are doing them a disservice not allowing them to speak.

There was a lengthy discussion between Mr. Murphy, Mr. Groom and & Mr. Carnes the traffic study and the incompleteness of the application with regard to the completeness and going forward.

Ms. Pamela Hemel ,14 Buttonwood Drive, was sworn. Ms. Hemel is the Shrewsbury Boro School Board President. Stated that this project will bring a lot more kids into the school, which is maxed out. Is there any proposals to help the residents and new residents in the school? Mr. Reilly advised that the Planner will president testimony, and school population. Ms. Hemel stated that Shrewsbury has a special school and we want to keep the classroom small and intimate.

Ms. Shannon Marcus Maines, 89 Borden St. was sworn, referred to the requirement of meeting the burden for "D" Variance application, she asked 4055:70-1 – "no variance or other relief may be granted under the terms of this section, including a variance or relief involving an inherently beneficial use". "Without showing that such variance or other relief can be granted:

1. Without substantial detriment to the public good
2. Significantly will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance

Ms. Maines asked how does the applicant meet the burden? Mr. Reilly said that the Planner will testify on that issue.

Mr. Kennedy advised Ms. Maines that she will have the opportunity to ask questions of the applicant's Planner.

A motion was made by Ms. Canonico, seconded by Mr. Carnes to close the meeting to the public. All approved.

Mr. Michael Monroe, Architect, Eatontown, was sworn, gave his professional & educational background, accepted as an expert witness.

Mr. Monroe prepared the following exhibits:

A-11: Colored Illustrated, prepared by Mr. Monroe 12/16/2019 revised

A-12: 11 X 17 handout (A-1 page 2 of 2) lower level plan & 1st floor plan prepared by Mr. Monroe 11/5/2019

Mr. Monroe described the floor plan & outside of the 3 buildings with 5 units per building, with the COAH units in the middle. All buildings will face the center landscaped island, no rear decks on the property. Retention water feature will be created and it will be located in the rear of the property. Bike paths will be created around the perimeter with landscaping.

Mr. Monroe referred to A-12 sheet -A-1 and explained that the COAH units are not required to have a garage, but will have a porch element located in the middle of the building. There will be Four 2-car garages. State requires to provide 1,2 & 3 Bedroom units, which is determined by the COAH, and they will be from 800-100 sq. ft.. The developer will most likely do 1 of each 1, 2 or 3 bedrooms. He explained that he will submit all of the bedroom plans for the next meeting, he was asked to only provide the ground floor and 1st floor. Described the 2 & 3 bedrooms. He is proposing 2 – 3 bedrooms (outside units 2,000 sq. ft.), 2 – 2bedroom 1700 sq. ft., and middle units will be either a 1 or 2 or 3 bedroom unit 800, 1000 or 1200 sq ft.. COAH units will not have garages or washer/dryers. The garages will 20' x 21", COAH units will not have a garage. Again, he will supply all 4 elevations, described the exterior architecture and center island landscaping. The Courts will dictate the price of the COAH units and who will be qualified for these units. COAH sets the parking requirement @ 1.6/unit which the engineer will give testimony on. The elevations, plans, storage or any comments from the board or public he will include.

Ms. Canonico asked if all of the units will be the same, except for the COAH units. Mr. Monroe said that they will not be recognized from the outside if it's a 1, 2 or 3 bedroom unit. Described the outside of the buildings plans all 4 elevations will be provided. He explained that the landscape island will be maintained by the Homeowners Association. The guest parking can be extended or made smaller, depending on what the board wants. There aren't any side streets to allow for additional parking. The trash enclosure will be screened. There will be trash collection, snow removal, recycling and street lighting provided by the Borough.

Mr. Reilly explained that the Planner will address the density and environmentally sensitive areas. This project is low considering the COAH inclusive developments as far as the density.

Mr. Reilly explained that Mr. Monroe will be returning for the meeting.

A motion was made by Ms. Canonico, seconded by Mr. Daly to open the meeting to the public. All approved.

Mr. Joe Byrnes, remained under oath. He asked how does this hearing differs from a site plan hearing? Mr. Kennedy addressed his concerns. This is a bifurcated hearing, if the use is approved they return for the site plan portion, since the law provides the applicant to do it. The applicant is giving the public some basic detail and parameters, knowing if the board needs more information they will get it on the site plan phase. The board members make their determination after all the testimony is presented.

Mr. Lou Rissland 62 Beechwood Dr. was sworn. He asked questions on the impervious coverage and Mr. Monroe explained that the Engineer will cover these issues. The information was received from the Engineer, and he will cover the buildable areas. The board is looking at this plan for a use variance, and the zone has not been changed, will the zone be changed? Mr. Kennedy advised that the Planner will give testimony on that issue.

Ms. Carolyn Barber, 132 Dorchester Way was sworn. She asked if the project will be seen from Manson Park? Mr. Monroe said that he will get that information for the next meeting. Mr. Reilly explained that the board may require screening. Ms. Barber asked if there will be access to the park? Mr. Monroe stated that this will be covered by the Engineer.

A motion was made by Ms. Canonico, seconded by Mr. Daly to close the meeting to the public. All approved.

Mr. Marc Leber, project Engineer, gave his professional & educational background and was accepted as an expert witness.

Mr. Leber presented the following:

A-13: Color copy of previously submitted site plan, prepared by Mr. Leber, 2/22/2019

Mr. Leber described the site:

- Bl: 30, Lot: 16, 942 Broad St., 3.4 acres, in the R1A Zone – Survey prepared by Surmonte dated 9/27/2019
- Environmental Engineer, Brian Debois inspected the site for Freshwater Wetlands Flagger was done and transposed them onto the Survey
- 300' frontage, 500' deep
- Wetlands located on the southside of the property, creating the buildings not in the center of the property, allowing for the 50' wetlands buffer
- Driveway off of Broad St., which has been shifted to the north from the existing driveway
- Described the surrounding area, Manson Park, Borough Hall to the north, wooded area to the south adjacent to the Thornebrook site. East of the site are a variety of single- family dwellings
- The plan that has been prepared does have some restrictions: if the board granted the variance for 3 building's they could not return with a plan for 4 or 5 buildings. The have provided enough detail to show how they will access the site, circulation, building location, parking. Specific details are left off i.e.: water main piping, fire hydrants etc., which will be included on the site plan.
- They are presenting 3 buildings with 4 market rate building with 1 COAH unit Set back to Broad is 100' and in that buffer they will landscape with screening plants The existing screening in the back of the property is approximately 300' to the nearest Thornebrook property. There are no buildings proposed within 800-1000' toward the north, and there is a large wooded area to the south of the property. This property will be screened from all 4 sides. The building may be seen from Manson Park but so would a single-family dwelling would be 35' high and visible.

- Net density of the project is 4.4 units per acre, 15 units divided by 3.4 acres gives you the 4.4 units
- There is a 20' wide road that provides access throughout the interior.
- Island was designed to accommodate fire truck access & emergency vehicle access.
- Parking is provided through a mixture of garage spaces, driveway spaces and surface parking. Market units will have a 2-car garage & 2 car driveway which equals 48 spaces. The RSIS which dictates that if you have a 2-car garage & 2 car driveway it will count as 3.5 spaces for the purposes of going toward your parking requirement giving 42 interior spaces.
- Around the interior access driveway there are an additional 14 spaces, which additional spaces can be added if necessary, and the traffic engineer will address this issue.
- Mr. Leber explained the RSIS requirement. RSIS states that if you have a 2-car garage and a 2-car driveway it shall only count as 3 ½ spaces and not 4. Due to the fact that people tend to use part of the garage for storage.
- There is a requirement of 43.5 spaces or 43 full space where they are providing 62 spaces – where 2 spaces are van accessible ADA stalls where 1 is required.
- Mr. Leber feels that he can add an additional 10 off street parking spaces, but it will increase the lot coverage slightly currently they are uses 26.7% of the total tract, where they are allowed 35% coverage, 10 spaces still keeps them under the 35%.
- Access will be right in right out only.
- Storm water will be addressed at site plan, which the detention system will be addressed, which will meet State Standards.
- Trash enclosure location in the rear of the site.
- Walking path around the perimeter which will also provide an access to the neighboring park
- Mr. Leber referred to the project as a small “pocket community” which is a small private community, which will be self-contained, walking paths, surrounded by wooded areas and natural buffers.
- L.O.I. has been started, wetlands have been flagged, and they will engage NJDEP after an approval.
- Traffic engineer will address the concerns with the ingress/egress
- Sidewalks for the proposed families/children for going to the school area, Mr. Reilly stated that if the board required the sidewalks they would install them.
Mr. Cranmer advised that one of the aspects of the Thornebrook development was whether or not sidewalks could be installed from Sycamore to Thornebrook, but because of the presence of fresh water wetlands, basically at the curb line, and a Department of Transportation culvert there is a physical obstruction to why the sidewalks could not be constructed there. The way the Planning Board handled it in 1999 they required the developer to post the amount of the money the sidewalk would have cost into the Borough Sidewalk Trust Account, and sidewalks were constructed in other locations in the Borough. Mr. Reilly said that they would be guided by the board.
- Landscaped/buffer would be deciduous and evergreen trees which will grow 20-30' high vs other species that would grow slower.

Mr. Leber explained that a Planner will present testimony on Zoning issues & Traffic Engineer will present traffic testimony.

Mr. Cranmer asked Mr. Leber if the proposed plan is designed to comply with the RSIS Standards? Mr. Leber said yes as to parking & they have selected the 25' width of the streets which is similar to a 2 way drive aisle on a commercial property or a parking lot, the circulation on the property is all counter clockwise. He is not anticipating any dominimous exceptions from the standards? Mr. Leber said not at this point.

Mr. Cranmer asked if there were any Riparian Zones? Mr. Leber said that he hasn't identified any but he will check into it.

Mr. Cranmer asked Mr. Leber if they have not yet applied to the DEP for LOI? Mr. Leber said that is correct, and they are providing a 50' buffer. If the DEP comes back with a different classification of the wetlands it will affect the layout, and it could affect the density

Mr. Cranmer asked if there are any endangered species on the State Mapping for this area? Mr. Leber did not know.

Mr. Cranmer asked if it is Mr. Dubois opinion is that the Wetlands line as drawn on the plan is his best estimation of where the State may verify them to be, and he feels comfortable that a 50' is going to be the buffer imposed by the State? Mr. Leber said yes.

Mr. Daly asked where would guests park on this site? Mr. Leber said if the board is concerned about parking there is room to provide more parking. The traffic expert will testify to any concerns.

Mr. Leber advised that the walking path is adding only .9% to the site.

A motion was made by Mr. Daly, seconded by Ms. Canonico to open the meeting to the public. All approved.

Mr. Byrnes, remained under oath, referred to the density, he asked if that number is based on buildable land or does it include the wetlands? Mr. Leber advised that the Planner will address that issue. Mr. Byrnes asked if there be a Club House on site? Mr. Leber said no.

Ms. Kathleen Lange, 225 Sycamore Ave., was sworn. Ms. Lange referred to the "pocket community" and she doesn't want to live in pocket community.

Mr. Stuart Minnis, 35 Thomas Ave, was sworn. Asked how far is it from the north & south buildings to the island, is that 25'.? Mr. Leber explained that the 25' is the width of the pavement? How far is it from the north building from the property line? Mr. Leber said 18 ½'.

Mr. Tom Neff, 23 Marc Ct., asked how many parking spaces are proposed, is 56 spaces with the RSIS where 43 spaces are required, he feels the RSIS of 3.5 spaces is generous, his concern is parking with town house developments. He feels that most people use the garage for storage, and asked where the room for additional parking is? Mr. Leber explained that in the front of the property there is banks of 3 spaces, can be increased to banks of 6 on the north and south, and 4 spaces can be cut spaces into the island.

Mr. Cranmer said that if the board were to act favorably on the use variance request, grant the variance for the density on the number of units, it would be conditioned upon a site plan being approved by this board for this development. If the site plan is not approved because of issues such as parking, wetlands, the use variance dies on its own. If they can't get a site plan approved there is no use variance.

Mr. Cranmer explained that this tract was intended to be part of the Thornebrook Development, it is zoned for the R1A and has 3 development options: 1) one is a straight R1 – 45,000 sq. ft. lots, 2) the seconded option is a cluster R1A – R1 Standards on 22,500 sq. ft. lots 3) R1A – 1.67 units per acre with a minimum of 65 acres. The intent was to have this piece part of the Thornebrook which would be over the 65 acres. The overall density on the entire tract would be 1.67 units which the Ordinance provides for. The presence of the Freshwater Wetlands cuts this tract from Thornebrook because you can cross the wetlands.

Ms. Leslie Eaton – 916 Broad St., was sworn. She asked if the existing property have public sewers or septic system? Mr. Leber said it is septic. Ms. Eaton said that they tried to convert To sewer they would have to convert under the highway. She asked if this plan eradicates the existing pond and it is replaced by a new one? Mr. Leber said no, the pond in the rear of the property will remain, unless they can fill it with a DEP permit. They would provide a detention facility which would not be pond on the north side. She asked if the 15' walking path included in theinaudible. Mr. Leber said that the trees that are on the north line are the trees that are there today, a line of woods currently separates this property from the park, that will remain. Discussion on the septic system vs sewer connections.

A motion was made by Ms. Canonico, seconded by Mr. Murphy to close the meeting to the public. All approved.

Mr. Reilly stated that they will be returning with:
Architectural - 4 – elevations

Mr. Kennedy asked when the January 2020 meeting will be January 8, 2020 @ 7:00 pm

A motion was made by Ms. Canonico, seconded by Mr. Carnes to adjourn this application of Martelli Developers to January 8, 2020 without further notice. Mr. Reilly has agreed to an extension of time to which the board has to act. With the condition that the Traffic Report is on file by December 8, 2019. All approved.

A motion was made by Mr. Daly, seconded by Mr. Carnes to adjourn the meeting @ 10:45 pm. All approved.